

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

FILED
JAMES BEHINI

2011 OCT 20 AM 9:42

UNITED STATES OF AMERICA, : CASE NO:3:09CR033-1
Plaintiff, : JUDGE WALTER HERBERT RICE
v. :
AARON JAMES MIRACLE, :
Defendant. :

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
DAYTON

**FINAL ORDER OF FORFEITURE
OF DEFENDANT AARON JAMES MIRACLE'S ASSETS**

WHEREAS, on November 20, 2009, this Court entered a Preliminary Order of Forfeiture, (Doc. 93) ordering the forfeiture pursuant to 21 U.S.C. §853(a)(2), 18 U.S.C. §924(d)(1) and 28 U.S.C. §2461(c), of the following property:

- a. Smith and Wesson .40 caliber handgun (Model: SW40VE, SN: PDY4327);
- b. AR-15 Rifle, Hesse Har15A2, SN: A2526;
- c. Cobra .380 caliber pistol, SN: FS030811;
- d. 40 rounds of assorted .223 caliber ammunition;
- e. 84 rounds of assorted .40 caliber ammunition;
- f. 7 rounds of assorted 12 gauge shotgun ammunition;
- g. 2 rounds of assorted .32 caliber ammunition;
- h. 6 rounds of assorted .38 caliber ammunition;
- i. 29 rounds of assorted .45 caliber ammunition; and
- j. 9 rounds of assorted .380 caliber ammunition.

WHEREAS, the United States published notice of this forfeiture action and the intent of the United States to dispose of the property in accordance with law, and further notified all parties of their right to petition the Court for a hearing to adjudicate the validity of their alleged interest in the property, beginning on July 8, 2011 and continuing for at least thirty (30) consecutive days, on the www.forfeiture.gov website; and

WHEREAS, no timely petition has been filed to the property listed above; and

WHEREAS, the Defendant was sentenced and a Judgment was filed on December 21, 2009 (Doc. 100) and that Judgment ordered the forfeiture of the above-referenced property; and

WHEREAS, the Court finds that defendant had an interest in the property; the United States has established the requisite nexus between the property and the offense; and the United States has established that the property is subject to forfeiture pursuant to 21 U.S.C. §853(a)(2), 18 U.S.C. §924(d)(1) and 28 U.S.C. §2461(c);

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Preliminary Order of Forfeiture entered in this action on November 20, 2009 (Doc. 93), ordering the forfeiture pursuant to 21 U.S.C. §853(a)(2), 18 U.S.C. §924(d)(1) and 28 U.S.C. §2461(c), of the following property:

- a. Smith and Wesson .40 caliber handgun (Model: SW40VE, SN: PDY4327);
- b. AR-15 Rifle, Hesse Har15A2, SN: A2526;
- c. Cobra .380 caliber pistol, SN: FS030811;
- d. 40 rounds of assorted .223 caliber ammunition;
- e. 84 rounds of assorted .40 caliber ammunition;
- f. 7 rounds of assorted 12 gauge shotgun ammunition;
- g. 2 rounds of assorted .32 caliber ammunition;
- h. 6 rounds of assorted .38 caliber ammunition;
- i. 29 rounds of assorted .45 caliber ammunition; and
- j. 9 rounds of assorted .380 caliber ammunition.

is final; and

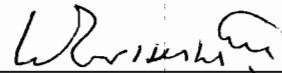
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the property described above is hereby condemned, forfeited and vested in the United States of America and the United States has clear title to the property described above; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the custodian of the property is hereby authorized to dispose of the property in accordance with the law; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Final Order of Forfeiture.

SO ORDERED:

Dated: 10/20/11



WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE